IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 429 of 1989

For Approval and Signature:

HON'BLE MR.JUSTICE R.K.ABICHANDANI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JIVANDAS GODIDAS SANKHESHWAR PARSWANATHJI JAIN DERASARTRUST
Versus
STATE OF GUJARAT

Appearance:
1. Special Civil Application No. 429 of 1989
MR VIMAL PATEL for MR KS NANAVATI, Advocate
for the Petitioner
MR LR POOJARI, AGP for Respondent No. 1-2
MR BG JANI for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE R.K.ABICHANDANI

Date of decision: 28/08/2003

ORAL JUDGEMENT

The learned counsel for the petitioner states that the petitioner has been paying minimum wages

pursuant to the interim orders made in this petition and arrears have already been paid to the concerned employees. The learned counsel appearing for the respondent no. 3 - Labour Association states that the petitioner has been paying the minimum wages as per the provisions of the Act and has also paid up the arrears to the concerned employees. The learned counsel for the petitioner on instructions given on behalf of the petitioner states that the petitioner shall continue to pay minimum wages as per the provisions of the Minimum Wages Act, 1948 to the concerned employees and does not want to press this petition. Since the petitioner has been paying and will pay the minimum wages as per the provisions of the Act, the question of initiating any prosecution under the provisions of the said Act, cannot arise in the absence of any violation of the provisions of the Act. If the provisions of the said Act have been complied with, there will remain no question of implementing the impugned notice. The petition stands rejected as not pressed. Rule is discharged with no order as to costs. Interim relief stands vacated.

[R.K. ABICHANDANI, J.]

pirzada/-